

1 AN ACT concerning immigrants.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 1. Short title. This Act may be cited as the  
5 Immigrant Victim of Crime Reporting Act.

6 Section 5. Purpose. The purpose of this Act is to  
7 remove barriers to investigations of criminal conduct  
8 committed against persons in this State who are undocumented  
9 residents of the United States without jeopardizing the  
10 residents' immigration status.

11 Section 10. Definitions. For the purposes of this Act:

12 "Felony" means an offense for which a sentence to death  
13 or to a term of imprisonment in a penitentiary for one year  
14 or more is provided;

15 "Victim" means (1) a person physically injured in this  
16 State as a result of a violent crime perpetrated or attempted  
17 against that person or (2) a person who suffers injury to or  
18 loss of property as a result of a violent crime perpetrated  
19 or attempted against that person or (3) a single  
20 representative who may be the spouse, parent, child or  
21 sibling of a person killed as a result of a violent crime  
22 perpetrated against the person killed or the spouse, parent,  
23 child or sibling of any person granted rights under this Act  
24 who is physically or mentally incapable of exercising such  
25 rights, except where the spouse, parent, child or sibling is  
26 also the defendant or prisoner or (4) any person against whom  
27 a violent crime has been committed or (5) any person who has  
28 suffered personal injury as a result of a violation of  
29 Section 11-501 of the Illinois Vehicle Code, or of a similar  
30 provision of a local ordinance, or of Section 9-3 of the

1 Criminal Code of 1961.

2 "Violent crime" means any felony in which force or threat  
3 of force was used against the victim, or any offense  
4 involving sexual exploitation, sexual conduct or sexual  
5 penetration, domestic battery, violation of an order of  
6 protection, stalking, or any misdemeanor which results in  
7 death or great bodily harm to the victim or any violation of  
8 Section 9-3 of the Criminal Code of 1961, or Section 11-501  
9 of the Illinois Vehicle Code, or a similar provision of a  
10 local ordinance, if the violation resulted in personal injury  
11 or death, and includes any action committed by a juvenile  
12 that would be a violent crime if committed by an adult. For  
13 the purposes of this Act, "personal injury" shall include  
14 shall include severely bleeding wounds, distorted  
15 extremities, injuries that require immediate medical  
16 attention, and injuries that require the injured party to be  
17 carried from the scene;

18 Section 20. Immigrant crime victim reporting program.  
19 The Department of Human Services shall establish a program  
20 for the investigation of crimes committed against victims in  
21 this State who are undocumented residents of the United  
22 States. The Department shall have the duty and authority to  
23 investigate all criminal complaints made by victims who are  
24 undocumented residents of the United States and shall not  
25 release to any other State or federal agency any identifying  
26 information about the victim or his or her family unless the  
27 victim signs a written document allowing this release of  
28 information. Even if the victim does not sign this release,  
29 the Department has the obligation to investigate the victim's  
30 complaint.

31 Section 25. Petition by Governor. In cases where the  
32 legal immigration status is necessary for the investigation

1 or prosecution of any violent crime or felony offense, the  
2 Governor of this State shall petition the appropriate federal  
3 agency to obtain legal immigration status for the victim or  
4 any witness necessary to the investigation or prosecution.

5 Section 99. This Act takes effect upon becoming law.